

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Hans-Peter Wilfer to pay the costs.

(¹) OJ C 6, 10.1.2008.

**Judgment of the General Court of 3 September 2010 —
Companhia Muller de Bebidas v OHIM — Missiato
Industria e Comercio (61 A NOSSA ALEGRIA)**

(Case T-472/08) (¹)

(Community trade mark — Opposition proceedings — Application for Community figurative mark 61 A NOSSA ALEGRIA — Earlier national word mark CACHAÇA 51 and earlier national figurative marks Cachaça 51 and Pirasununga 51 — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009))

(2010/C 288/68)

Language of the case: English

Parties

Applicant: Companhia Muller de Bebidas (represented by: G. Da Cunha Ferreira and I. Bairrão, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Missiato Industria e Comercio Ltda (Santa Rita Do Passa Quatro, Brazil)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 4 July 2008 (Case R 1687/2007-1) relating to opposition proceedings between Companhia Muller de Bebidas and Missiato Industria e Comercio Ltda

Operative part of the judgment

The Court:

1. Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 4 July 2008 (Case R 1687/2007-1).
2. Orders OHIM to pay the costs.

(¹) OJ C 6, 10.1.2009.

**Judgment of the General Court of 9 September 2010 —
Nadine Trautwein Rolf Trautwein v OHIM (Hunter)**

(Case T-505/08) (¹)

(Community trade mark — Application for Community word mark Hunter — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 40/94 (now Article 7(1)(c) of Regulation (EC) No 207/2009) — Restriction of the goods designated in the trade mark application)

(2010/C 288/69)

Language of the case: German

Parties

Applicant: Nadine Trautwein Rolf Trautwein GbR, Research and Development (Leopoldshohe, Germany) (represented by: C. Czychowski, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Schaffner, acting as Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 17 September 2008, as corrected on 5 February 2009 (Case R 1733/2007-1), concerning an application for registration as a Community trade mark of the word sign Hunter.